BOOK REVIEWS

THE NEGOTIABLE INSTRUMENTS LAW, embracing a full text of the law as enacted, with copious annotations. By John J. Crawford, of the New York Bar, by whom the statute was drawn. Third Edition. New York: Baker, Voorhis & Company, 1908, pp. xlviii, 212.

In 1895 a movement was set on foot relating to a codification of the law of the bills and notes for the primary purpose of securing uniformity on the subject throughout the United States. To that end a conference of commissioners on uniformity of laws which met at Detroit in that year, charged the committee on commercial law with the duty of preparing a codification of the law relating to bills and notes. The committee on commercial law assigned the work of actual preparation to a sub-committee composed of Lyman D. Brewster of Connecticut, Henry C. Wilcox of New York and Frank Bergen of New Jersey. The sub-committee employed John J. Crawford, author of the work named in the caption, to make a draft of the proposed law. Mr. Crawford completed his work and submitted his draft, together with his notes upon which the same was based, to the sub-committee who caused it to be printed and copies thereof to be sent to each member of the conference and to many prominent lawyers and law professors and to several English judges and lawyers with an invitation for suggestions and criticisms. The draft was submitted to the conference of commissioners which met at Saratoga in 1896. At that conference twenty-seven commissioners were present representing fourteen different states. The commissioners present at the conference went over the draft submitted by Mr. Crawford and considered it section by section and made certain amendments, most of which were changes in existing law that Mr. Crawford had not felt at liberty to incorporate into the original draft. The foregoing facts relating to the immediate inception and subsequent progress of the work of preparing the codification of the law of bills and notes are borrowed from Mr. Crawford's preface of his first edition of Negotiable Instruments Law, and are set out here for the purpose of showing how this law was immediately induced, with what care it was prepared and to what expert hands its preparation was committed. Lawyer and layman are thereby assured that this statute is the result of conservative and expert judgment, not a creation but a legislative expression of what the law of bills and notes is, not what it is in any one state or jurisdiction, but what it is generally. It may be safely said that there is nothing new in the Negotiable Instruments Law, that in no respect is it a creation, but in every respect as to every rule of the form of the instrument of the liability and of the rights of the parties it is an adoption of the law as it had been laid down in one or another jurisdiction. The Negotiable Instruments Law is now in force in thirty-five states, namely: Alabama, 1907; Arizona, 1901; Colorado, 1897; Connecticut, 1897; District of Columbia, 1899; Florida, 1897; Idaho, 1903; Illinois, 1907; Iowa, 1902; Kansas, 1905; Kentucky, 1904; Louisiana, 1904; Maryland, 1898; Massachusetts, 1898; Michigan, 1905; Missouri, 1905; Montana, 1903; Nebraska, 1905; Nevada, 1907; New Jersey,

1902; New Mexico, 1907; New York, 1897; North Carolina, 1899; North Dakota, 1899; Ohio, 1902; Oregon, 1899; Pennsylvania, 1901; Rhode Island, 1899; Tennessee, 1899; Utah, 1899; Virginia, 1898; Washington, 1899; West Virginia, 1907; Wisconsin, 1899; Wyoming, 1905.

No factor has contributed more to a comparatively speedy enactment of the Negotiable Instruments Law in the thirty-five states above named than the work of John J. Crawford, now appearing in the third edition.

The first edition appeared in July, 1897. At that time four of the above named states had enacted the statute, namely: New York, Connecticut, Colorado and Florida. The second edition appeared in February, 1902, at which time Massachusetts, Rhode Island, Pennsylvania, Maryland, North Carolina, Tennessee, Wisconsin, North Dakota, Utah, Oregon and Washington had enacted the law, and the same had been adopted by Congress as the law of the District of Columbia.

The third edition has recently made its appearance. In the four and a half years between the first and second edition, but few cases arose under the statute and those involved questions of the applicability of the statute rather than to the construction of it. But in the six years between the publication of the second edition and of the third edition upwards of two hundred cases were decided which involved questions of the application of the statute or of its construction. These cases are cited in the third edition and are made the basis of additional notes. These additional cases furnished the occasion for a new edition of the work which had already commended itself to lawyers, bankers and business men.

A useful feature of this new edition is a table showing corresponding sections of the statute as numbered in the different states in which the statute has been enacted. This table affords a ready means of reference.

To those who have used the first or second edition of this work nothing needs be said in commendation of it; to those who have not, it needs only be said that Mr. Crawford was an expert, perhaps a specialist in commercial law before he undertook, as above stated, the preparation of a bill designed ultimately to become the law of the land on the subject of negotiable instruments. How well he did the work is attested by the fact that the legislatures of thirty-five states have already approved it. R. E. B.

THE AMERICAN CONSTITUTION. The National Powers. The Rights of the States. The Liberties of the People. By Frederic Jesup Stimson, Professor of Comparative Legislation, Harvard University. New York: Charles Scribner's Sons, 1908, pp. ii, 259.

This book is made up of the "Lowell Institute Lectures," delivered by the author in Boston, in 1907. It is a strong and effective presentation, somewhat "popular" in form and expression, of the conservative or "strict construction" view of our federal constitution. As the lectures were intended for popular audiences, it would be unfair to criticise the work because of its popular form, or to complain because it is neither an original contribution to the subject of constitutional law, nor a scientific study of any phase of it.